

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

JANE DOE, et al.

Plaintiffs,

vs.

HOWARD ZUCKER, et al.

Defendants.

Civil Action No.: 1:20 – CV – 0840 (BKS/CFH)

**DECLARATION OF JANE JOE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR A PRELIMINARY  
INJUNCTION**

1. I am the mother of a medically fragile child and am plaintiff in this lawsuit. I make this declaration in support of the emergency relief requested.
2. My son, who is six years old, had a severe, life threatening anaphylactic reaction to his Hep B shot given at birth.
3. My son has special needs. He suffers from severe autism, obsessive compulsive disorder, and a range of neurological and other health issues.
4. We've worked really hard to try to help him function as best he can. We have to be very careful about environmental and dietary triggers, of which there are many. Nonetheless, his health is fragile, and we have a lot of setbacks.
5. On the advice of his treating physicians through the years, my son has had a medical exemption to all further immunization since the anaphylactic reaction at birth.

**DECLARATION OF JANE JOE IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY  
INJUNCTION - 1**

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- 3 6. My son has had a medical exemption in our current school district since we moved here in
- 4 2018 written by our treating pediatrician.
- 5 7. There was never an issue until one day, without warning, in November 2019, I received a
- 6 letter stating that my son's medical exemption was being overruled as to all vaccines other
- 7 than the Hep B, and he would need to get caught up on all the other vaccines within a week
- 8 or be removed from school.
- 9
- 10 8. I met with the Superintendent of our school district to beg him to reconsider. I explained how
- 11 we'd always had a medical exemption to all further vaccines, that my son's health was very
- 12 fragile and multiple physicians agreed he should not receive any more vaccines.
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- 14 9. The Superintendent, who is not a medical professional and has no medical training, said that
- 15 his hands were tied, and that he sympathized but as far as he understood, my son would have
- 16 to have a near death anaphylactic reaction to each individual vaccine before he could be
- 17 exempt from that vaccine.
- 18
- 19 10. My child was expelled from school in November 2019 and has been denied an education but
- 20 also all educational services since. Our district has typically provided educational services to
- 21 homeschool children outside of school but decided not to provide them to us.
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- 23 11. Before he was removed from school, my son had an Individualized Education Plan which
- 24 entitled him to extensive needed services including speech therapy five days a week,
- 25 occupational therapy three times a week, music therapy and play therapy.

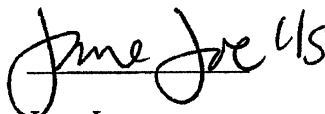
26 DECLARATION OF JANE JOE IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY  
27 INJUNCTION - 2  
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2 12. I am a single mom without financial resources. When my son was removed from school, I had  
3 to quit my job, go on social services and have been struggling and trying to somehow provide  
4 my son an education and all of the services he needs by myself, without training or assistance.  
5

6 13. The toll this has taken on my son's health, emotions, and progress and on myself has been  
7 severe.  
8

9 14. Wherefore, we respectfully ask that this Court grant our emergency relief.

10 RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of August 2020

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12   
13 Jane Joe  
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26 DECLARATION OF JANE JOE IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY  
27 INJUNCTION - 3  
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